

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

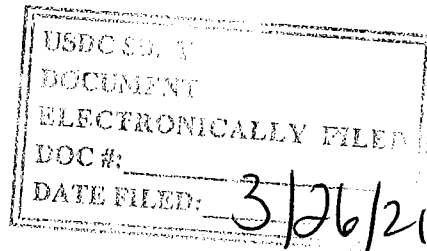
VINCENT ESPOSITO, JULY 4 EVER  
FIREWORKS, INC., and JULY 4 EVER CO.,  
LTD,

Plaintiffs,

v.

INFORMATION TECHNOLOGY CORP.,  
FIREWORKS EXTRAVAGANZA, INC., J&J  
COMPUTING, INC. (d/b/a Fireworks  
Extravaganza), and JOHN SAGARIA,  
Individually,

Defendants.

**ORDER**

19 CV 2025 (VB)

By letter dated today, March 26, 2021, plaintiffs request that the Court adjourn the pre-motion conference scheduled for today, and permit discovery to be re-opened to raise an issue that could easily have been raised and resolved before Magistrate Judge McCarthy. (Doc. #149). Plaintiffs also request the Court again refer the parties to Judge McCarthy for general pretrial supervision. This request is untimely. Paragraph 1.G of the Court's Individual Practices clearly states: "Absent extraordinary circumstances, requests for extensions will be denied if not made before the expiration of the original deadline. If the request is for an adjournment of a court appearance, absent an emergency, the request shall be made at least 2 business days prior to the scheduled appearance."

Moreover, Judge McCarthy's January 27, 2021, Minute Entry clearly specifies the deadline for discovery was extended to February 26, 2021. Several weeks later, the parties represented to Judge McCarthy in a March 18, 2021, conference that discovery was complete.

Plaintiffs raised this discovery issue (by their own admission) for the first time in their letter for a pre-motion conference on March 18, 2021. (Doc. #144). The Court notes this letter was filed the same day the parties' represented to Judge McCarthy that discovery was complete.

Accordingly, plaintiffs' request to adjourn today's conference, as well as to reopen discovery and to refer the matter to Judge McCarthy is DENIED.

The Court will hold today's conference as scheduled, at 4:00 p.m. At the time of the scheduled conference, counsel shall use the following information to connect by telephone:

Dial-In Number: (888) 363-4749 (toll free) or (215) 446-3662

Access Code: 1703567.

The Clerk is instructed to terminate the motion. (Doc. #149).

Dated: March 26, 2021  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti  
United States District Judge